

Serial No.: 10/604,642
Art Unit: 3713

R E M A R K S

The Examiner has objected to the drawings under 37 C.F.R. §1.83(a) as not showing every feature of the invention specified in the claims. New FIGS. 4 and 5 have been added to illustrate the steps in the method of playing the game that is the subject of the invention. FIG. 4 illustrates the first preferred embodiment of claims 1-10. FIG. 5 illustrates the second preferred embodiment of claims 11-20.

The Examiner has objected to claims 1-20 as not meeting the requirement under 37 C.F.R. §1.75(i) that each element or step should be indented when listing a plurality of steps or elements. Appropriate indentation has been made in claims 1-20. Because of the addition of indentation, all of the claims are indicated to be currently amended, even when there has been no change to their language. (The indentation was inadvertently lost in the conversion of the application to a form that could be filed electronically.)

The Examiner has rejected claims 5-6, 10 and 15-16 under 35 U.S.C. §112, second paragraph, as being indefinite. Accordingly,

Serial No.: 10/604,642
Art Unit: 3713

the language of these claims has been amended to make them more definite.

The Examiner has rejected claims 1-19 under 35 U.S.C. §103(a) as being unpatentable over Smith (U.S. Patent No. 6,264,200). The Examiner has rejected claim 20 under 35 U.S.C. §103(a) as being unpatentable over Smith in view of Peterson (U.S. Publication No. 2003/0054873). Independent claims 1 and 11 have been amended to better define the invention over the prior art. Amended claims 1 and 11 are distinguishable from Smith, in that pairs and three or four of a kind, as well as straights or flushes, are completely disregarded in determining the worth of a hand. Amended claims 1 and 11 are also distinguishable from Smith, in that the rank of the highest card of all the cards in a player's hand determines the worth of a hand, not merely the rank of one particular single card. As independent claims 1 and 11 are distinguishable from Smith, it necessarily follows that dependent claims 2-10 and 12-20 are also distinguishable from Smith.

The paragraphs of the specification numbered 0009, 0011, 0023, 0038, 0046, 0057, 0058 and 0061 have been amended to add

Serial No.: 10/604,642
Art Unit: 3713

apostrophes that were inadvertently lost in the conversion of the application to a form that could be filed electronically.

Paragraph 0041 of the specification has been amended to correct an error in capitalization.

Serial No.: 10/604,642
Art Unit: 3713

S U M M A R Y

For the foregoing reasons, applicant respectfully submits that this application is in condition to be passed to issue. If such is not the case, the Examiner is respectfully requested to call Applicant's undersigned attorney at the number given below in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,

A handwritten signature in cursive script that reads "Stephen C. Swift".

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